Meeting of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

5 June 2018

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2018 Meeting
Geneva, 4-7 December 2018

Meeting of Experts on Assistance, Response and Preparedness
Geneva, 14-15 August 2018
Item 2 of the provisional agenda
Adoption of the agenda

Provisional agenda for the Meeting of Experts on Assistance, Response and Preparedness

Submitted by the Chair

1. Opening of the meeting
2. Adoption of the agenda
3. Adoption of the rules of procedure
4. Practical challenges facing the implementation of Article VII, and possible solutions
5. A set of guidelines and formats to assist a State Party, if required, when submitting an application for assistance in the framework of Article VII
6. Procedures, including the establishment and use of the assistance database, to improve the prompt and efficient response without preconditions to a request of assistance by a State Party under Article VII, and coordination and cooperation among States Parties and with relevant international and regional organizations such as World Health Organization (WHO), World Organisation for Animal Health (OIE), Food and Agriculture Organization (FAO), as appropriate
7. Examination of how the concept of mobile biomedical units might contribute to effective assistance, response and preparation with a view to enhancing implementation of the Convention
8. Exploration of approaches by which States Parties, individually or collectively, might contribute to the strengthening of international response capabilities for infectious disease outbreaks, whether natural or deliberate in origin
9. Exploration of means to prepare for, respond to and render assistance in case of the possible hostile use of biological agents and toxins against agriculture, livestock as well as the natural environment

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10. Adoption of the factual report reflecting the deliberations of the meeting, including possible outcomes

11. Closing of the meeting

Meeting of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

26 July 2018

English only

2018 Meeting
Geneva, 4-7 December 2018

Meeting of Experts on Assistance, Response and Preparedness
Geneva, 14-15 August 2018
Items 4 to 9 of the provisional agenda

Practical challenges facing the implementation of Article VII, and possible solutions

A set of guidelines and formats to assist a State Party, if required, when submitting an application for assistance in the framework of Article VII

Procedures, including the establishment and use of the assistance database, to improve the prompt and efficient response without preconditions to a request of assistance by a State Party under Article VII, and coordination and cooperation among States Parties and with relevant international and regional organizations such as World Health Organization (WHO), World Organisation for Animal Health (OIE), Food and Agriculture Organization (FAO), as appropriate

Examination of how the concept of mobile biomedical units might contribute to effective assistance, response and preparation with a view to enhancing implementation of the Convention

Exploration of approaches by which States Parties, individually or collectively, might contribute to the strengthening of international response capabilities for infectious disease outbreaks, whether natural or deliberate in origin

Exploration of means to prepare for, respond to and render assistance in case of the possible hostile use of biological agents and toxins against agriculture, livestock as well as the natural environment

Background information document on assistance, response and preparedness

Submitted by the Implementation Support Unit (ISU)

I. Introduction

1. The 2017 Meeting of States Parties to the Biological Weapons Convention reached consensus on an intersessional programme from 2018 to 2020. The purpose of the intersessional programme is to discuss, and promote common understanding and effective

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action on those issues identified for inclusion in the intersessional programme. The work in the intersessional period will be guided by the aim of strengthening the implementation of all articles of the Convention in order to better respond to current challenges.[1]

2. The intersessional programme consists of annual Meetings of States Parties preceded by annual Meetings of Experts. Each Meeting of Experts will prepare for the consideration of the annual Meeting of States Parties a factual report reflecting its deliberations, including possible outcomes. All meetings, both of Experts and of States Parties will reach any conclusions or results by consensus. The Ninth Review Conference will consider the work and outcomes it receives from the Meetings of States Parties and the Meetings of Experts and decide by consensus on any inputs from the intersessional programme and on any further action

3. Out of the eight days allocated per year for the five open-ended Meetings of Experts, two days will be allocated to the topic of 'Assistance, Response and Preparedness' to be discussed within the Meeting of Experts 4 (MX4). States Parties decided that MX4 will consider the following topics:

(a) Practical challenges facing the implementation of Article VII, and possible solutions;

(b) A set of guidelines and formats to assist a State Party, if required, when submitting an application for assistance in the framework of Article VII;

(c) Procedures, including the establishment and use of the assistance database, to improve the prompt and efficient response without preconditions to a request of assistance by a State Party under Article VII, and coordination and cooperation among States Parties and with relevant international and regional organizations such as WHO, OIE and FAO, as appropriate;

(d) Examination of how the concept of mobile biomedical units might contribute to effective assistance, response and preparation with a view to enhancing implementation of the Convention;

(e) Exploration of approaches by which States Parties, individually or collectively, might contribute to the strengthening of international response capabilities for infectious disease outbreaks, whether natural or deliberate in origin;

(f) Exploration of means to prepare for, respond to and render assistance in case of the possible hostile use of biological agents and toxins against agriculture, livestock as well as the natural environment.

4. The purpose of this paper is to facilitate States Parties' preparations for and deliberations during MX4 by providing relevant background information on the above topics. This document therefore describes relevant provisions in the Convention and discussions on these topics during previous intersessional programmes. Finally, the present paper also provides information on activities overseen by the Implementation Support Unit (ISU) on the subject matter.

5. The document includes three Annexes: Annex I contains the full text of relevant additional understandings and agreements reached by successive review conferences; Annex II contains the full text of the common understandings reached by States Parties during the last intersessional programme from 2012 to 2015; and Annex III lists relevant working papers presented by States Parties between 2012 and 2017 on the six topics to be considered by MX4.

[1] See BWC/MSP/2017/6, paragraph 19.

II. Convention provisions and additional understandings and agreements reached at previous review conferences

6. Article VII of the Convention reads as follows:

> "Each State Party to this Convention undertakes to provide or support assistance, in accordance with the United Nations Charter, to any Party to the Convention which so requests, if the Security Council decides that such Party has been exposed to danger as a result of violation of the Convention."

7. Additional understandings and agreements reached by States Parties on Article VII at previous review conferences relate broadly to the issues of implementation of these provisions and of global health security. In this context, topics addressed by the additional understandings and agreements cover *inter alia*, aspects related to preparedness both at national and international level; capacity building to strengthen the States Parties' ability to detect and respond; the question of the provision of assistance pending a decision by the United Nations Security Council; the possible role of the United Nations and coordination with other international organizations; required assistance measures and the need for procedures for the provision of assistance; the lessons deriving from the international response to the Ebola Virus Disease outbreak in 2014-2015, and the relationship between health and security. The full text of these additional understandings and agreements can be found in Annex I.

III. Common Understandings reached by States Parties during previous intersessional programmes

8. In the context of the intersessional programme between 2012 and 2015, the States Parties considered the topic 'How to strengthen implementation of Article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation of states Parties,' as a biennial item at both the Meetings of Experts and the Meetings of States Parties in 2014 and 2015. The common understandings reached by States Parties in 2014 and 2015 are reproduced in Annex II.

9. Prior to that, during the intersessional programme from 2007 to 2010, States Parties considered the topic of 'enhancing international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease', at both the Meeting of Experts and the Meeting of States Parties in 2004. The common understandings reached on this topic by States Parties in 2004 can be found in document BWC/MSP/2004/3.They further addressed the topic of 'Provision of assistance and coordination with relevant organizations upon request by any State Party in the case of alleged use of biological or toxin weapons, including improving national capabilities for disease surveillance, detection and diagnosis and public health systems,' at the Meeting of Experts and the Meeting of States Parties in 2010. The common understandings reached on this topic by States Parties in 2010 can be found in document BWC/CONF.VII/INF.6.

IV. Relevant Activities overseen by the BWC Implementation Support Unit (ISU)

10. The Implementation Support Unit (ISU) operates in accordance with the decisions and recommendations of the Eighth Review Conference (BWC/CONF.VIII/4, part III), which renewed for the period from 2017 to 2020 the mandate of the Unit originally decided

by the Sixth Review Conference, and as extended by the Seventh Review Conference. With respect to the topics considered by MX4, this background document informs about support provided by the ISU to States Parties in the comprehensive implementation of the Convention, particularly as regards Article VII and supporting interaction with relevant international organizations, academia and NGOs.

11. In the context of the preparations in 2014 and 2015 for the States Parties' discussions on how to strengthen implementation of Article VII, at the request of the Chair, the ISU updated past background information papers on capacities in international organizations which might be involved in the provision of assistance relevant to Article VII. These papers covered the International Committee of the Red Cross (ICRC)[2] the International Federation of Red Cross and Red Crescent Societies (IFRC),[3] the OIE,[4] the Organisation for the Prohibition of Chemical Weapons (OPCW),[5] the UN Office for the Coordination of Humanitarian Affairs (UNOCHA),[6] the UNODA,[7] the WHO[8], and the Food and Agriculture Organization of the UN and the tripartite cooperation among this Organization, the OIE and the WHO.[9] Some of the information contained in these papers was submitted by the concerned international organizations. Other information was based on research carried out by the ISU itself.

12. In areas related to the topics for consideration by MX4, and particularly to Article VII of the Convention, the ISU has furthermore been participating and contributing to relevant activities promoted under the auspices of the Working Group on Preventing and Responding to Terrorist Attacks with Weapons of Mass Destruction (WMD Working Group) of the United Nations Counter-Terrorism Implementation Task Force (CTITF). Since 2017, the latter has been subsumed within the new UN Office of Counter-Terrorism (UNOCT).[10] The Task Force is co-chaired by the International Atomic Energy Agency and the Organisation for the Prohibition of Chemical Weapons (OPCW).

13. In 2011, the ISU contributed to the WMD Working Group's Report on "Inter-Agency Coordination in the Event of a Chemical or Biological Attack", 2011.[11] Since January 2015, the ISU has also been participating in a follow-up UNOCT activity. It has been participating in a project implemented by the United Nations Counter-Terrorism

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[2] BWC/MSP/2014/MX/INF.1.

[3] BWC/MSP/2014/INF.2 and BWC/MSP/2015/MX/INF.4.

[4] BWC/MSP/2014/MX/INF.1 and BWC/MSP/2015/MX/INF.4.

[5] BWC/MSP/2014/MX/INF.1.

[6] BWC/MSP/2014/MX/INF.1/Add.1.

[7] BWC/MSP/2014/INF.2.

[8] BWC/MSP/2014/MX/INF.1/Add.1.

[9] BWC/MSP/2014/MX/INF.1.

[10] The United Nations Counter-Terrorism Implementation Task Force (CTITF) was established by the Secretary-General in 2005 to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations (UN) system. In addition to promoting coordination and coherence, the CTITF is also mandated by the UN General Assembly to help Member States implement the UN Global Counter- Terrorism Strategy, which was adopted by consensus by resolution 60/288 in 2006 and has since become a pivotal policy framework for international action against terrorism. The CTITF brings together 38 entities of the UN system and key international organizations for enhanced coordination and coherence in the UN's broad-ranging activities against terrorism. An office previously sitting in the UN Department of Political Affairs, since 2017 it has been subsumed in the new UN Office of Counter-Terrorism, established by the Assembly General in the Office of the UN Secretary-General. For information on the WMD WG see https://www.un.org/counterterrorism/ctitf/en/preventing-and-responding-wmd-terrorist-attacks.

[11] The report is available at http://www.un.org/en/terrorism/ctitf/pdfs/ctitf_wmd_working_group_report_interagency_2011.pdf.

Centre (UNCCT)[12] under the guidance of the CTITF WMD WG on "Ensuring Effective Inter-Agency Interoperability and Coordinated Communication in Case of Chemical and/or Biological Attacks", which has sought to enhance cooperation among relevant, mandated agencies and organizations through a clear understanding of policy tools and operations and practical recommendations. Bringing together 18 United Nations offices and agencies, as well as other relevant international organizations operating in the area, the Project aims to address the UN Global Counter-Terrorism Strategy's call for improved coordination in response. The UNOCT recently published the main results of the first two phases of the Project.[13] The Project's third phase, aimed at implementing those recommendations, is in the process of being launched.

14. From August 2017, moreover, the United Nations Office for Disarmament Affairs (UNODA) has undertaken a project aimed at 'Strengthening global mechanisms and capabilities for responding to deliberate use of disease', which the ISU coordinates with funds of just over USD 330,000 from Canada, through its Global Partnership Program. The project aims to strengthen international mechanisms and capabilities to respond to the deliberate use of disease (human, animal or plant) by both state and non-state actors. It addresses these issues particularly through the lens of Article VII of the Convention. The project's aims and activities were presented to States Parties at a side event on "Strengthening Global Mechanisms and Capabilities for Responding to Deliberate Use of Disease," organized by the delegation of Canada on 8 December 2017.

15. Activities within the first phase of the project, which concluded at the end of April 2018, included consideration of the challenges of inter-agency coordination in response to a deliberate release of biological agents, with particular consideration to the situation under the Convention; consideration of the roles of international organizations in this context; and the development of the first skeleton of an International Bio-Emergency Management Framework for Deliberate Events, a non-legally binding document aimed at contributing to a coordinated and harmonized international response among relevant international organizations in support of States' efforts. The first phase of the project, also envisaged a series of different meetings bringing together stakeholders from relevant international organizations.

16. The project builds upon existing multilateral initiatives and mechanisms, looks at the international community's experience and practices in the context of some recent natural disease outbreaks, and it has created effective synergies with other relevant initiatives in other forums, both within intergovernmental bodies, think-tanks, and the academia. In particular, synergies have been established with the above-mentioned ongoing work on inter-agency interoperability within the UNOCT, as the project brings forward the work on the biological area, and with the WHO's work on the interface between health and security.

17. The second phase of the project will continue the work on the draft management framework, including by establishing thematic working groups, and it will aim to operationalize select recommendations which emerged during the first phase. It will also

[12] Located within the CTITF, the United Nations Counter-Terrorism Centre (UNCCT) was established in 2011 with extra budgetary funding to promote international counter-terrorism cooperation and assist Member States in their efforts to implement the UN Global Counter-Terrorism Strategy. The Centre engages with CTITF entities and supports capacity building projects across the globe. In the fourth review of the UN Global Counter-Terrorism Strategy in 2014 (A/RES/68/276), the General Assembly reaffirmed the role of the CTITF and UNCCT in facilitating and promoting coordination and coherence in the implementation of the Strategy at the national, regional and global levels.

[13] Available at .... https://www.un.org/counterterrorism/ctitf/sites/www.un.org.counterterrorism.ctitf/files/UNCCT_CTITF_WMD_WG_Project_Publication_FINAL.PDF.

seek to generate synergies by providing concrete input and suggestions, based on the outcomes of the first phase, for most of the six agenda items to be discussed by MX4.

18. In early 2018, Japan also provided a voluntary contribution of USD 820,000 to UNODA for a two-year project for improving the preparedness of the UN and international organisations to ensure a coordinated international response to the potential deliberate use of biological or chemical weapons, which will complement the above-mentioned project. Both projects will also contribute to the UN Secretary-General's recently launched Disarmament Agenda, "Securing Our Common Future", particularly the recommendation that "[t]he Office for Disarmament Affairs will work with all relevant United Nations entities to contribute to developing a framework that ensures a coordinated international response to the use of biological weapons."[14]

V. Conclusions

19. Questions relating to 'Assistance, Response and Preparedness' in the framework of Article VII of the Convention have been considered by States Parties during previous intersessional programmes. During the previous intersessional programme from 2012 to 2015, States Parties have reached a number of common understandings on some of the six topics that will be the focus of MX4. Moreover, previous review conferences, including the Eighth Review Conference in 2016, have reached additional agreements and understandings on Article VII of the Convention. These additional agreements and understandings, as well as the common understandings, may provide further input to the discussions at MX4, while possibly helping to promote additional common understandings and effective action on the six topics to be addressed by MX4.

[14] United Nations Office for Disarmament Affairs, Securing our Common Future: An Agenda for Disarmament. New York, 2018, p.26.

Annex I

Additional understandings and agreements reached by previous Review Conferences on issues relating to assistance, response and preparedness

I. Article VII

A. Convention text

"Each State Party to this Convention undertakes to provide or support assistance, in accordance with the United Nations Charter, to any Party to the Convention which so requests, if the Security Council decides that such Party has been exposed to danger as a result of violation of the Convention."

B. Additional understandings and agreements

On implementation

72. The Eighth Review Conference reaffirmed that "the international community should be prepared to face such situations well in advance and to dispatch emergency assistance in case of use of bacteriological (biological) or toxin weapons, and also to provide assistance, including humanitarian and other assistance to the requesting State Party." [VIII.VII.33]

73. The Eighth Review Conference took note of "the tragic Ebola outbreak (2014/2015) in West Africa that has underlined the importance of rapid detection and prompt, effective, and coordinated response in addressing outbreaks of infectious diseases, and recognizes that these considerations would be relevant as well in the event of alleged use of biological or toxin weapons, which may pose additional challenges." [VIII.VII.34]

74. The Third, Fourth, Sixth and Seventh Review Conferences "took note of desires expressed that, should a request for assistance be made, it be promptly considered and an appropriate response provided. In this context, pending consideration of a decision by the Security Council, timely emergency assistance could be provided by States Parties if requested." [VII.VII.33, VI.VII.33, IV.VII.3, III.VII.3]. The Eighth Review Conference expanded upon this and further considered that, "should a request for assistance be made, it should be promptly considered and an appropriate response provided. In this context, in view of the humanitarian imperative, the Conference encourages States Parties in a position to do so to provide timely emergency assistance, if requested pending consideration of a decision by the Security Council." [VIII.VII.35].

75. The Seventh and Eighth Review Conferences recognised "that States Parties bear the responsibility for providing assistance and coordinating with relevant organizations in the case of alleged use of biological or toxin weapons." [VIII.VII.36, VII.VII.34]. The Eighth Review Conference reaffirmed "the undertaking made by each State Party to provide or support assistance in accordance with the Charter of the United Nations to any State Party which so requests, if the Security Council decides that such State Party has been exposed to danger as a result of a violation of the Convention." [VIII.VII.36].

76. The Third and Fourth Review Conferences considered that "in the event that this article might be invoked, the United Nations, with the help of appropriate

intergovernmental organizations such as the World Health Organization (WHO), could play a coordinating role." [IV.VII.5, III.VII.4]. The Sixth and Seventh Review Conferences expanded upon this by considering "that in the event that this Article might be invoked, the United Nations could play a coordinating role in providing assistance, with the help of States Parties as well as the appropriate intergovernmental organizations such as the World Health Organization (WHO), the World Organisation for Animal Health (OIE), the Food and Agriculture Organization of the United Nations (FAO), and the International Plant Protection Convention (IPPC)." [VII.VII.36, VI.VII.34]. The Eighth Review Conference further expanded upon the coordination role of the United Nations and considered that it "could play a coordinating role in providing and delivering assistance under the BWC" [VIII.VII.37].

77. The Seventh Review Conference recognised "the value of further dialogue regarding appropriate means of coordination between States Parties and relevant international organizations." [VII.VII.36]. The Eighth Review Conference expanded upon this and recognized that "there are challenges to developing effective measures for the provision of assistance and coordination with relevant international organizations to respond to the use of a biological or toxin weapon." [VIII.VII.38].

78. The Seventh and Eighth Review Conferences "underlined the importance of the coordination of the provision of appropriate assistance, including expertise, information, protection, detection, decontamination, prophylactic and medical and other equipment that could be required to assist the States Parties in the event that a State Party is exposed to danger as a result of a violation of the Convention." [VIII.VII.38, VII.VII.37]. The Eighth Review Conference further expanded upon this and noted "the need for a procedure for assistance by which timely emergency assistance can be provided, including to better identify accessible information on the types of assistance that might be available in order to ensure prompt response and timely emergency and humanitarian assistance by States Parties, if requested in the event of use of biological weapons." [VIII.VII.38].

79. The Eighth Review Conference agreed that "the United Nations and other international organizations could also play an important role in coordinating, mobilizing and delivering the required support and assistance. In this respect, the capacities and experiences of UN and relevant international organizations should be identified and used, within their mandates, when required and upon request of the concerned State Party." [VIII.VII.39].

80. The Sixth, Seventh and Eighth[1] Review Conferences noted "that State Parties' national preparedness contributes to international capabilities for response, investigation and mitigation of outbreaks of disease, including those due to alleged use of biological or toxin weapons." [VIII.VII.40, VII.VII.38, VI.VII.35]. The Eighth Review Conference further expanded upon this "while noting that States Parties' national preparedness contributes to international capabilities for response, investigation and mitigation of outbreaks of disease, the Conference stresses that this should not be imposed as precondition for either provision or receipt of assistance." [VIII.VII.42].

81. The Eighth Review Conference noted that "these capacities can also contribute to enabling States Parties to more clearly identify assistance needs." [VIII.VII.41]. The Eighth Review Conference also recognized "capacity building at the national and international levels as the most immediate imperative for enhancing and strengthening the capacity of the States Parties to promptly and effectively detect and respond to the alleged use or threat of use of biological weapons." [VIII.VII.41].

[1] Slightly different wording

82. The Seventh and Eighth[2] Review Conference noted "that there are differences among States Parties in terms of their level of development, national capabilities and resources, and that these differences affect national and international capacity to respond effectively to an alleged use of a biological or toxin weapon." [VIII.VII.43, VII.VII.38]. The Seventh and Eighth Review Conferences encouraged "States Parties, in a position to do so, to assist other States Parties, upon request, to build relevant capacity." [VIII.VII.43, VII.VII.38]

83. The Seventh and Eighth Review Conferences noted "the need for States Parties to work nationally, and jointly, as appropriate, to improve, in accordance with their respective circumstances, national laws and regulations, their own disease surveillance and detection capacities for identifying and confirming the cause of outbreaks and cooperating, upon request, to build the capacity of other States Parties." [VIII.VII.44, VII.VII.39]. The Seventh and Eighth Review Conferences also noted that "the International Health Regulations (2005) are important for building capacity to prevent, protect against, control and respond to the international spread of disease; such aims are compatible with the objectives of the Convention." [VIII.VII.44, VII.VII.39].

84. The Sixth Review Conference noted "the willingness of States Parties, where appropriate, to provide or support assistance to any State Party which so requests, when that State Party has been exposed to danger or damage as a result of the use of bacteriological (biological) agents and toxins as weapons by anyone other than a State Party." [VI.VII.38].

On global health security

85. On "the provision of assistance and coordination with relevant organizations upon request by any State Party in the case of alleged use of biological or toxin weapons", the Seventh and Eighth Review Conferences recognized "that in this regard health and security issues are interrelated at both the national and international levels." [VIII.VII.45, VII.VII.40].

86. The Seventh and Eighth Review Conferences highlighted "the importance of pursuing initiatives in this area through effective cooperation and sustainable partnerships." [VIII.VII.45, VII.VII.40].

87. The Seventh and Eighth Review Conferences recognised "the importance of ensuring that efforts undertaken are effective irrespective of whether a disease outbreak is naturally occurring or deliberately caused, and cover diseases and toxins that could harm humans, animals, plants or the environment." [VIII.VII.45, VII.VII.40].

88. The Seventh and Eighth Review Conferences recognised "that capabilities to detect, quickly and effectively respond to, and recover from, the alleged use of a biological or toxin weapon need to be in place before they are required." [VIII.VII.45, VII.VII.40].

[2] Slightly different wording

Annex II

Common Understandings Reached by previous Intersessional Programmes on issues relating to assistance, response and preparedness

How to strengthen implementation of Article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation of States Parties (2014-15 only)[1]

A. 2014

113. States Parties reiterated that States Parties bear the responsibility for providing assistance and coordinating with relevant organizations in the case of alleged use of biological or toxin weapons. States Parties reaffirmed the undertaking made by each State Party to provide or support assistance in accordance with the Charter of the United Nations to any State Party which so requests, if the Security Council decides that such State Party has been exposed to danger as a result of a violation of the Convention.

114. Having considered relevant agreements reached at past review conferences and common understandings identified at previous Meetings of States Parties related to Article VII, including that in view of the humanitarian imperative, pending consideration of a decision by the Security Council, timely emergency assistance could be provided by States Parties, if requested, States Parties noted that State Parties' national preparedness contributes to international capabilities for response, investigation and mitigation of outbreaks of disease, including those due to alleged use of biological or toxin weapons.

115. States Parties recognised that, without preconditions to the use of Article VII, there are a number of challenges to strengthening its implementation. States Parties recognized the value of continuing to consider in 2015 these challenges and ways to address them.

116. Recognizing the possibility that, following danger to a State Party resulting from activities prohibited by the Convention, national means and resources could be overwhelmed and that assistance may be required, States Parties noted the value of discussing in 2015 what assistance might be needed.

117. Recalling that a State Party's national preparedness contributes to international capabilities for response, investigations and mitigation of outbreaks of disease due to alleged use of biological or toxin weapons, States Parties noted the value, at the national level, of:

(a) Considering what might be done to deal with a threat or actual use of biological or toxin weapons, determining the sorts of assistance that might be required from other States Parties and international organizations and identifying who could provide it, as well as identifying any challenges to its provision;

[1] BWC/CONF.VIII/PC/5, dated 2 June 2016, pp. 24-29.

(b) Ensuring effective national capabilities, including through the use, as appropriate, of gap analyses and national plans;

(c) Strong detection capabilities, including for disease surveillance, primed health communities, cost-effective rapid diagnostic tests, and accurate disease mapping, as well as appropriate countermeasures and recovery and decontamination options;

(d) Appropriate command, control and coordination of cross-governmental planning and response as well as multi-agency assets during the life cycle of response efforts; and

(e) Regular training activities to strengthen national capacities.

118. Recalling the importance of enhancing relevant capabilities, strengthening human resources, and sharing appropriate and effective practices, States Parties noted the value of collaborating to build relevant national capacity, including:

(a) Facilitating, and having the right to participate in the fullest possible exchange of equipment, material and scientific and technological information to protect against, and respond to, the use of biological and toxin weapons;

(b) Avoiding duplicating existing efforts and capacity and taking into account the differences in national laws, regulations, and constitutional procedures;

(c) Sharing experiences, expertise, technology and resources to build capacity to protect against biological and toxin weapons and for purposes not prohibited under the Convention;

(d) Working with relevant international organizations to build relevant national capacity: and

(e) That national preparedness contributes to international capabilities for response, investigation and mitigation of outbreaks of disease, including those due to alleged use of biological or toxin weapons. States Parties noted that there are differences among States Parties in terms of their level of development, national capabilities and resources, and that these differences affect national and international capacity to respond effectively to an alleged use of a biological or toxin weapon. States Parties encouraged States Parties, in a position to do so, to assist other States Parties, upon request, to build relevant capacity.

119. Recognizing that an event relevant to Article VII is more than an animal, plant or public health emergency, and in recognition that there is no institutional mechanism under the Convention to undertake relevant activities, States Parties noted the value of:

(a) That in the event that this Article might be invoked, the United Nations could play a coordinating role in providing assistance, with the help of States Parties, as well as the appropriate intergovernmental organizations, in accordance with their respective mandates, such as the World Health Organization (WHO), the World Organisation for Animal Health (OIE), the Food and Agriculture Organization of the United Nations (FAO), and the International Plant Protection Convention (IPPC). States Parties noted the value of further dialogue regarding appropriate means of coordination between States Parties and relevant international organizations; and

(b) Ensuring effective coordination and cooperation with and between relevant international organizations, in accordance with their mandates and upon request by a State Party.

120. When considering a mechanism for the provision of assistance relevant to Article VII, States Parties recalled the need for clear procedures for submitting requests for assistance or for responding to a case of alleged use of biological or toxin weapons. States

Parties noted the value of considering in 2015, *inter alia*, what information might be provided.

121. States Parties also agreed on the value of continuing in 2015 to explore strengthening the procedures and mechanisms for the provision of assistance, including, *inter alia*:

(a) Information on, and the feasibility of an inventory of, the types of assistance that States Parties could provide;

(b) A data bank containing publicly available information on means of protection against, and responses to, biological and toxin weapons;

(c) Procedures, or codes of conduct, for the provision of means of protection against, and responses to, the use of biological and toxin weapons to the requesting State Party;

(d) A fund for assistance to affected States Parties; and

(e) Capacity-building for international regional and sub-regional organizations

that have relevant mandates, such as by joint exercises, workshops and training, including by the use of e-learning modules.

122. States Parties reiterated the value of continuing discussions on strengthening Article VII, and taking into consideration lessons learned from combatting infectious disease, such as Ebola.

B. 2015

123. States Parties reiterated that States Parties bear the responsibility for providing assistance, and coordinating with relevant organizations in the case of alleged use of biological or toxin weapons. States Parties reaffirmed the undertaking made by each State Party to provide or support assistance in accordance with the Charter of the United Nations to any State Party which so requests, if the Security Council decides that such State Party has been exposed to danger as a result of a violation of the Convention.

124. Recognizing a need to provide effective and timely assistance under Article VII to the State Party exposed to the danger as a result of violations of the Convention and noting that national capacities and national health systems contribute to international capabilities for response, investigation and mitigation of outbreaks of disease, including those due to alleged use of biological or toxin weapons. States Parties further noted that even where national capacity is strong, further international assistance may be required by the affected State Party.

125. States Parties having considered relevant agreements reached at past review conferences and common understandings identified at previous Meetings of States Parties related to Article VII, reiterated that in view of the humanitarian imperative, pending consideration of a decision by the Security Council, timely emergency assistance could be provided by States Parties, if requested.

126. Recognizing that there are both strong similarities and differences between responses to a deliberate disease and a natural outbreak, States Parties noted:

(a) The importance in both cases of a rapid response, as well as effective communication and coordination;

(b) The value of effective coordination and cooperation with relevant international health and humanitarian organizations, such as WHO, FAO, OIE, IPPC, OCHA and the ICRC, in accordance with their mandates;

(c) That an event relevant to Article VII is more that an animal, plant or public health emergency, and recognizes that there is no institutional mechanism under the Convention to undertake relevant activities;

(d) The importance of understanding of national and regional specificities to ensure rapid engagement with local communities during the response;

(e) The importance of ensuring timely access to affordable drugs and vaccines and related diagnostic tools, preventive and therapeutic equipment to affected States Parties; and

(f) The importance of drawing lessons from the Ebola disease outbreak, including addressing the lack of ready operational capacity and the need for a change in the research and development model to ensure timely, accessible and affordable medical support for affected populations.

127. When considering a mechanism for the provision of assistance relevant to Article VII, States Parties noted the value of various proposals made by States Parties including:

(a) Guidelines, and the information that should be included to aid a State Party in submitting a request for assistance;

(b) The request or appeal for assistance should be transmitted in a timely manner to all States Parties and relevant international organizations for coordination and delivery of emergency and humanitarian assistance and support;

(c) Guidelines on the levels of response to be adopted by the States Parties, depending on the nature of the disease, the geographical area where the outbreak occurred, and the capabilities and capacities of the public health system of the State and the potential of international effects;

(d) Establishing a database containing information on, and an inventory of, the types of assistance that States Parties could provide, as a means to facilitate provision of assistance to ensure timely and adequate response to a situation involving implementation of Art VII;

(e) A database containing publicly available information on means of protection against, and responses to, biological and toxin weapons;

(f) Procedures for the provision of means of protection against, and responses to, the use of biological and toxin weapons to the requesting State Party;

(g) A fund for assistance to affected States Parties;

(h) Capacity-building for international regional and sub-regional organizations that have relevant mandates, as appropriate, such as by joint exercises, workshops and training, including by the use of e-learning modules; and

(i) Exploring what role if any, the ISU should play within this mechanism and any additional resources for enabling such a role.

128. States Parties noted the value of preparations being made in advance of Article VII being invoked, including, a coordinated government approach to emergency management, addressing the full range of possible implications, establishing clear channels of communication, accessing relevant expert advice, and working to improve effective cooperation between the law enforcement and health sectors.

129. Recognizing that for the implementation of Article VII national preparedness contributes to international capabilities, States Parties noted the value, at the national level, of:

(a) Strong detection capabilities, including for infectious disease detections and surveillance;

(b) Capacity building for accurate disease mapping, including contact-tracing, social mobilisation capacities, and case investigation;

(c) Appropriate command, control and coordination, functions; and

(d) Mechanisms to manage offers of assistance, and to mobilize and coordinate the provision of assistance to other countries upon request.

130. States Parties noted that there are differences among States Parties in terms of their level of development, national capabilities and resources, and that these differences affect national and international capabilities and resources to respond effectively to an alleged use of a biological or toxin weapons. States Parties encouraged States Parties in a position to do so to assist other States Parties, upon request, to build relevant capacity.

131. Recalling discussions in 2014 about the importance of assisting other States Parties by, *inter alia,* enhancing relevant capabilities, strengthening human resources, and sharing appropriate and effective practices, States Parties further agreed on the value of collaborating to build relevant national capacity, including:

(a) Sharing experiences, expertise, technology and resources to build capacity to protect against biological and toxin weapons;

(b) New methods and novel diagnostic technologies and equipment for detection of and quick response to a disease outbreak;

(c) Disease surveillance information and analysis, including data on populations in high-risk and vulnerable situations;

(d) Enhancing national capacity including through taking advantage of, inter-alia, the implementation of the International Health Regulations core capacities;

(e) Working with relevant international organizations to build national capacity, such as core capacities of public and animal health systems, or those to address toxins, as well as coordination arrangements; and

(f) Avoiding duplicating existing efforts and capacity and taking into account the differences in national laws, regulations, and constitutional procedures.

Annex III

Working Papers presented by States Parties between 2012 and 2017

2017

BWC/MSP/2017/WP.15 - Strengthening cooperation with international organizations - Submitted by Australia, Japan, the Netherlands and the United Kingdom of Great Britain and Northern Ireland

BWC/MSP/2017/WP.16 - Analyse des risques et menaces biologiques - Submitted by France

BWC/MSP/2017/WP.20 - Responding to deliberate biological release: the requirements for effective, coordinated international action - Submitted by Canada, the United Kingdom of Great Britain and Northern Ireland and the United States of America

2016

BWC/CONF.VIII/WP.8 - Draft decision on the establishment of a Temporary Working Group on Mobile Biomedical Units - Submitted by the Russian Federation

BWC/CONF.VIII/WP.34 - Implementation of Article VII - Submitted by South Africa

BWC/CONF.VIII/WP.38 - Preparing for and Responding to Deliberate Events: Specific Proposals for Work Under Article VII Based on Examining Lessons Learned from the International Response to the Ebola Outbreak in West Africa - Submitted by the United States of America

BWC/CONF.VIII/WP.39 - Select International developments Relevant to Article VII of the BWC - Submitted by the United States of America

BWC/CONF.VIII/PC/WP.1/Rev.2 - Strengthening the Biological Weapons Convention Operationalising mobile biomedical units to deliver protection against biological weapons, investigate their alleged use, and to suppress epidemics of various etiology - Submitted by the Russian Federation

BWC/CONF.VIII/PC/WP.1/Rev.2/Add.1 - Strengthening the Biological Weapons Convention: Operationalising mobile biomedical units to deliver protection against biological weapons, investigate their alleged use, and to suppress epidemics of various etiology - Submitted by the Russian Federation.

BWC/CONF.VIII/PC/WP.12 - Specificities of the response to natural and intentional disease outbreaks - Submitted by France

BWC/CONF.VIII/PC/WP.14 - Articles VII and X: The importance of synergy - Submitted by the United Kingdom of Great Britain and Northern Ireland

BWC/CONF.VIII/PC/WP.22 - "Implementation of Article VII" - Submitted by South Africa

BWC/CONF.VIII/PC/WP.29 - Strengthening Cooperation with International Organisations - Submitted by Japan

BWC/CONF.VIII/PC/WP.38 - Proposal for Establishment of a Database for Assistance in the Framework of Article VII of the BWC - Submitted by France and India

BWC/CONF/VIII/PC/WP.38/Rev.1 - Revised Proposal for Establishment of a Database for Assistance in the Framework of Article VII of the BWC - Submitted by France and India

BWC/CONF.VIII/PC/WP.39 - Humanitarian response to the use of biological weapons: Lessons from the naturally occurring Ebola outbreak of 2014-2016 - Submitted by the International Committee of the Red Cross (ICRC)

2015

BWC/MSP/2015/MX/WP.1 - Making Article VII Effective: Some core assumptions and key questions - Submitted by the United Kingdom of Great Britain and Northern Ireland

BWC/MSP/2015/MX/WP.2 - Making Article VII Effective: Relevant lessons and follow-up action from the Ebola virus disease outbreak in West Africa - Submitted by the United Kingdom of Great Britain and Northern Ireland

BWC/MSP/2015/MX/WP.7 - Proposal for establishment of a database for assistance in the framework of Article VII of the BWC. Submitted by France and India

BWC/MSP/2015/MX/WP.9 - Advances in Science and Technology: Impact on Response to Infectious Disease Outbreaks and Relevance to Article VII. Submitted by the United Kingdom of Great Britain and Northern Ireland

BWC/MSP/2015/MX/WP.10- Implementation of Article VII. Submitted by South Africa

2014

BWC/MSP/2014/WP.1 Article VII: Analysis of existing resources and gaps, and recommendations for future actions - Submitted by the United States of America

BWC/MSP/2014/WP.1/Corr.1 Corrigendum to Article VII: Analysis of existing resources and gaps, and recommendations for future actions - Submitted by the United States of America

BWC/MSP/2014/WP.1/ADD.1/Corr.1 Article VII: Analysis of existing resources and gaps and recommendations for future actions, submitted by Columbia, Greece, Italy, Lithuania, New Zealand, Norway, Republic of Korea, Slovenia, Switzerland, Turkey and the United States of America

BWC/MSP/2014/WP.1/ADD.1/Corr.2 Article VII: Analysis of existing resources and gaps and recommendations for future actions, submitted by Columbia, Greece, Italy, Lithuania, New Zealand, Norway, Republic of Korea, Slovenia, Switzerland, Turkey and the United States of America

BWC/MSP/2014/WP.7 Perspectives on Article VII - Submitted by South Africa

BWC/MSP/2014/MX/WP.1 Making Article VII Effective - Submitted by the United Kingdom of Great Britain and Northern Ireland

BWC/MSP/2014/MX/WP.3 Focusing Efforts to Strengthen Article VII: A proposed agenda for international cooperation and assistance in preparing for and responding to biological incidents - Submitted by the United States of America

BWC/MSP/2014/MX/WP.5 Responding to a case of suspect biological weapons use: The command and control element at the scene - Submitted by the United Kingdom of Great Britain and Northern Ireland

BWC/MSP/2014/MX/WP.9 Article VII – Procedures - Submitted by South Africa

BWC/MSP/2014/MX/WP.13 Pistes de travail sur la mise en œuvre de l'article VII dans le cadre de la CIAB - Submitted by France

2013

BWC/MSP/2013/WP.2 Strengthening Article VII: international cooperation and assistance in preparing for and responding to biological incidents - submitted by the United States of America